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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER	
CONTEE, JOY KIMBERLY	
ART UNIT	**PAPER NUMBER**
2686	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/902,968	SAMPLE, WILLIAM G.	
	Examiner	Art Unit	
	Joy K. Contee	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed November 29, 2004 were fully considered but they are not persuasive.

Applicant argues that Ward (US 6282417) fails to disclose retrieving information using a manually tuned frequency. Examiner disagrees. Ward teaches that a desired frequency maybe selected from a group of displayed frequencies for tuning the radio to the new frequency and/or a manual frequency selector (see col. 7,lines 17-27). Further Ward retrieves information related to the tuned frequency such as corresponding "zone" for assigned or desired frequency (i.e., reads on "other useful information corresponding to a particular input or tuned radio frequency) (see col. 9,line 59 to col. 10, line 10).

Applicant also argues that Briffe et al. (US 6038498) fails to disclose that Briffe's databases contain radio frequency information stored as a function of radio frequency as claimed. Examiner disagrees. Briffe even states that the aeronautical information database inclues a complete list of navigation aids which includes location and frequencies of each navaid. Further col. 19,lines 63-67 indicates that by clicking on frequencies in the map the radio can be tuned.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 36 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Ward, U.S. Patent No. 6,282,417.

Regarding claims 36 and 37, Ward discloses a method of providing information to a user, the method comprising:

manually tuning a radio to a desired frequency; receiving position information; accessing a database having information corresponding to multiple frequencies, wherein a subset of such information associated with manually tuned frequency (and in conjunction with the manually tuned frequency) at the received position is retrieved as function of the manually tuned frequency and position information (col. 7,lines 17-27 and col. 9,line 59 through col. 10, line 23 and col. 13, lines 12-22 and see Figs. 2-4).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Briffe et al. (Briffe), U.S. Patent No. 6,038,498.

Regarding claim 1, Briffe discloses a device, comprising: a database of radio frequency information (i.e., reads on instrument landing system- ILS or microwave landing system- MLS frequency information) stored as a function of radio frequency (col. 5,lines 34-41 and col. 10,lines 57-62); and a circuit (i.e., reads on module in modular avionics units-MAU containing a processor functioning as a flight management system computer) coupled to the database and operating one or more algorithms (i.e., approaches and inherently software programs) for accessing the database as a function of an input radio frequency signal and generating a display signal as a function of an input radio frequency signal (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10,lines 44-64 and col. 11, lines 25-27).

Regarding claim 2, Briff discloses the device of claim 1 wherein: the circuit is further structured to receive a position signal (i.e., reads on differential GPS-DGPS or GPS) (col. 6,lines 16-21 and lines 45-64; and the one or more algorithms include one or more algorithms for accessing the database as a function of both the input radio frequency signal (i.e., reads on ILS or MLS) and a position signal (GPS or DGPS) and generating a display signal as a function of an input radio frequency signal and a position signal (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10,lines 44-64 and col. 11, lines 25-27)

Regarding claim 3, Briffe discloses the device of claim 2, further comprising a display coupled to the circuit, the display structured to receive the display signal and

display the radio frequency information (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 4, Briffe discloses the device of claim 2 wherein the circuit (i.e., MAU) is a processor (col. 5,lines 25-33).

Regarding claim 5, Briffe discloses an aircraft frequency identifier device, comprising: a database of stored radio frequency information (col. 5,lines 34-41 and col. 10,lines 57-62) ; and a processor (i.e., reads on module in modular avionics units-MAU containing a processor functioning as a flight management system computer) coupled to the database and operating one or more algorithms (i.e., "approaches" and inherently software programs) for accessing the database as a function of an input radio frequency signal and generating a display signal as a function of an input radio frequency signal (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10,lines 44-64 and col. 11, lines 25-27)

Regarding claim 6, Briffe discloses the device of claim 5 wherein the one or more algorithms (i.e., reads on approaches using navigation aids GPS, ILS or MLS for example) operated by the processor (MAU) access the database as a function of an input radio frequency (i.e., radio frequency is either manually entered or automatically entered) signal and a position signal (i.e., input automatically by GPS signals) (col. 9, lines 15-20 and col. 10,lines 57-62).

Regarding claim 7, Briffe discloses the device of claim 6 wherein the one or more algorithms operated by the processor retrieve from the database {a portion of} the radio

frequency information corresponding to an input radio frequency signal and inherently a position signal (col. 9,lines 15-20).

Regarding claim 8, Briffe discloses the device of claim 7, further comprising a display coupled to the processor for receiving the display signal and generating a display as a function thereof (col. 11,lines 25-27).

Regarding claim 9, Briffe discloses the device of claim 8, further comprising a control device structured to input a radio frequency to one of the processor and the display (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10,lines 44-64 and col. 11, lines 25-27).

Regarding claim 10, , Briffe discloses a device, comprising:

a database of radio frequency information stored as a function of radio frequency and position (col. 10,lines 27-62); and

a processor (MAU) having a first input structured to receive a signal indicative of an input radio frequency (i.e., ILS or MLS information)and a second input structured to receive a signal indicative of position (i.e., GPS or DGPS information), the processor coupled to the database and operating one or more algorithms for retrieving {a portion of } the radio frequency information as a function of a signal indicative of an input radio frequency received on the first input and a signal indicative of position received on the second input (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 10,lines 44-64 and col. 11, lines 25-27).

Regarding claim 11,Briffe discloses the device of claim 10 wherein the processor further operates one or more algorithms for generating a display signal indicative of {the

portion of} the retrieved radio frequency information (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 12, Briffe discloses the device of claim 11, further comprising a display coupled to receive the display signal (col. 6, line 63 to col. 7,line 4).

Regarding claim 13, Briffe discloses the device of claim 11, further comprising a control device (i.e., keyboard or other user control) coupled to the first input of the processor and structured to input a radio frequency to the processor (i.e., inherently the flight deck's MAU is coupled to the pedestal) (col. 4,line 48 to col. 5,line 4 and col. 6, line 66 to col. 7,line 4).

Regarding claim 14, Briffe discloses the device of claim 11, further comprising a control device coupled to the first input of the processor and structured to input a radio frequency to the display (col. 4,line 48 to col. 5,line 4 and col. 6, line 66 to col. 7,line 4).

Regarding claim 15, Briffe discloses the device of claim 11 wherein the second input (i.e., GPS navigational sensor in instrument panel) of the processor is structured to receive an output signal of a global positioning system that is indicative of position (col. 6,lines 45-64).

Regarding claim 16, Briffe discloses an aircraft frequency identifier, comprising:

a means for inherently storing radio frequency information (i.e., since transceivers can be tuned by "pointing and clicking" on frequency in a digital map, frequency information must be stored) (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27);

an accessing means (i.e., user control device, e.g., keyboard or tracking ball), coupled to the storing means, for accessing the stored radio frequency information as a function of an input radio frequency signal and a position signal (col. 4,line 48 to col. 4,line 4 and col. 6,line 65 to col. 7,line 4 and col. 10,lines 44-64); and

an output signal generating mea ns (i.e., data stored is displayed), coupled to the accessing means, for generating an output signal as a function of the accessed radio frequency information (col. 9,lines 12-27 and col. 11, lines 25-27).

Regarding claim 17, Briffe discloses the device of claim 16 wherein the means for storing radio frequency information includes means for storing the radio frequency information in a look-up table (i.e., reads on data base) (col. 10,lines 44-63).

Regarding claim 18, Briffe discloses the device of claim 17 wherein the accessing means includes a means for operating one or more algorithms (i.e., reads on ILS approach) for retrieving the radio frequency information from a look-up table (database) (col. 9,line 15-20 and col. 10, line 57-63).

Regarding claim 19, Briffe discloses the device of claim 16, further including receiving means (i.e. reads on processor MAU), coupled to the output signal generating means, for receiving the output signal (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 20, Briffe discloses the device of claim 19, further including displaying means, coupled to the output signal receiving means, for displaying the accessed radio frequency information (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 21, Briffe discloses the device of claim 16, further including signal inputting means, coupled to the output signal accessing means, for inputting a radio frequency signal (col.9,lines 12-20).

Regarding claim 22, Briffe discloses a device, comprising:

database means for (i.e., since transceivers can be tuned by "pointing and clicking" on frequency in a digital map, frequency information must be stored) storing radio frequency information as a function of radio frequency and inherently a position (col. 9,lines 12-20);

and processor means for receiving a first signal indicative of an input radio frequency and a second signal indicative of position, the processor means coupled to the database means for retrieving {a portion of} the radio frequency information as a function of a first signal indicative of an input radio frequency and a second signal indicative of position (col. 4,line 48 to col. 4,line 4 and col. 6,line 65 to col. 7,line 4 and col. 8,lines 53-65 and col. 9,lines 12-20 and col. 10,lines 44-64).

Regarding claim 23, Briffe discloses the device of claim 22 wherein the processor means for retrieving {a portion of} the radio frequency information further includes processor means for operating one or more algorithms for retrieving a portion of the radio frequency information (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 24, Briffe discloses the device of claim 23 wherein the processor means further includes signal generating means for generating a signal indicative of {

the portion of} the radio frequency information retrieved by the processor means (col. 7,lines 1-4 and col. 11,lines 24-27).

Regarding claim 25, Briffe discloses the device of claim 24, further comprising display means, coupled to the processor means, for receiving the signal indicative of {the portion of} the radio frequency information and displaying the {portion of} the radio frequency information (col. 6,line 45 to col. 7, line 4 or col. 9, lines 12-20 and col. 11, lines 25-27).

Regarding claim 26, Briffe discloses a method of identifying an aircraft frequency, comprising:

storing radio frequency information; accessing the stored radio frequency information as a function of an input radio frequency signal and a position signal and col. 10,lines 44-64); and

generating an output signal as a function of the accessed radio frequency information (col. 9,lines 12-20 and col. 11,lines 24-27).

Regarding claim 27, Briffe discloses the method of claim 26 wherein the storing radio frequency information includes storing the radio frequency information in a look-up table (i.e., reads on database) (col. 10,lines 57-63).

Regarding claim 28, Briffe discloses the method of claim 27 wherein the accessing the stored radio frequency information includes operating one or more algorithms (i.e., reads on approaches to navigational aids, e.g., GPS and ILS) for retrieving the radio frequency information from a look-up table (database) (col. 10,lines 57-63).

Regarding claim 29, Briffe discloses the method of claim 26, further including receiving the output signal the output signal and displaying the accessed radio frequency information (col. 11,lines 24-27).

Regarding claim 30, Briffe discloses the method of claim 26, further including inputting a radio frequency signal for use in the accessing the stored radio frequency information (col. 7,lines 1-4).

Regarding claim 31, Briffe further discloses the method of claim 30, further including inputting a position signal for use in the accessing the stored radio frequency information (col. 6,lines 28-49).

Regarding claim 32, Briffe discloses a method of identifying an aircraft frequency, comprising:

storing radio frequency information in a database inherently as a function of radio frequency and position (col. 10,lines 57-60);

receiving in a processor a first signal indicative of an input radio frequency and a second signal indicative of position (col. 9,lines 15-20); and

retrieving from the database {a portion of} the radio frequency information inherently as a function of a first signal indicative of an input radio frequency and a second signal indicative of position (col. 9,lines 15-20 and col. 10,lines 44-64).

Regarding claim 33, Briffe discloses the method of claim 32 wherein the retrieving of {a portion of} the radio frequency information further includes operating one or more algorithms for retrieving {a portion} of the radio frequency information (col. 9,lines 15-20).

Regarding claim 34, Briffe discloses the method of claim 33, further including generating a signal (i.e., displaying) indicative of {the portion of} the retrieved portion of the radio frequency information (col. 9,lines 13-20).

Regarding claim 35, Briffe discloses the method of claim 34, receiving the signal indicative of the retrieved {portion of} the radio frequency information and displaying the retrieved {portion of the} radio frequency information (col. 9,lines 13-20).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC